

Message Text

CONFIDENTIAL

PAGE 01 STATE 017200
ORIGIN SS-25

INFO OCT-01 ISO-00 SSO-00 /026 R

DRAFTED BY EUR/EE:CWSCHMIDT

APPROVED BY EUR:RDVINE

L/EUR:JCROOK

S/S-O:LRFLEISCHER

C:IWOLF

EUR/EENGANDREWS

H:PSTAHNKE (SUBS)

-----096000 210420Z /62

O P 210336Z JAN 78

FM SECSTATE WASHDC

TO AMEMBASSY BUDAPEST IMMEDIATE

INFO AMEMBASSY LONDON PRIORITY

C O N F I D E N T I A L STATE 017200

EXDIS. LONDON FOR STREATOR FOR WILLIAM LUERS

E.O. 11652: GDS

TAGS: EEWT, PGEN, HU, US

SUBJECT: HUNGARIAN MFN ASSURANCES

REF: BUDAPEST 0326

1. IN ACCORDANCE WITH YOUR REQUEST (REFTEL), DEPARTMENT IS REVIEWING OUR LATEST PROPOSAL IN LIGHT OF CONSIDERATIONS YOU DESCRIBED. IN SO DOING WE WOULD WELCOME EMBASSY'S SPECIFIC SUGGESTIONS FOR ALTERNATIVE APPROACHES, BEARING IN MIND THE ADDITIONAL BACKGROUND CITED BELOW.

2. WE FOUND INSUFFICIENT THE GOH COUNTERPROPOSAL OF DECEMBER 16 FOR THE REASONS OUTLINED IN 77 STATE 310279.
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 017200

THE GOH IN TURN HAD PROBLEMS IN ACCEPTING OUR PROPOSAL TO ADD REFERENCE TO THE UNIVERSAL DECLARATION FOR THE REASONS PUJA DESCRIBED TO THE SECRETARY ON JANUARY 7. PUJA'S PROPOSAL TO REFER TO THE INTERNATIONAL COVENANT WAS NOT RPT NOT ACCEPTABLE TO US BECAUSE OF THE REASONS GIVEN IN PARAS TWO AND THREE OF STATE 015152.

FOR YOUR BACKGROUND, THE RELEVANT PORTIONS OF THE UNIVERSAL DECLARATION AND INTERNATIONAL COVENANT CONCERNING EMIGRATION ARE AS FOLLOWS:

UNIVERSAL DECLARATION, ARTICLE 13, PARAGRAPH 2. QUOTE:
EVERYONE HAS THE RIGHT TO LEAVE ANY COUNTRY, INCLUDING HIS OWN, AND TO RETURN TO HIS COUNTRY. END QUOTE.

INTERNATIONAL COVENANT, ARTICLE 12 (IN FULL) QUOTE:

1. EVERYONE LAWFULLY WITHIN THE TERRITORY OF A STATE SHALL, WITHIN THAT TERRITORY, HAVE THE RIGHT TO LIBERTY OF MOVEMENT AND FREEDOM TO CHOOSE HIS RESIDENCE.
 2. EVERYONE SHALL BE FREE TO LEAVE ANY COUNTRY, INCLUDING HIW OWN.
 3. THE ABOVE-MENTIONED RIGHTS SHALL NOT BE SUBJECT TO ANY RESTRICTIONS EXCEPT THOSE WHICH ARE PROVIDED BY LAW, ARE NECESSARY TO PROTECT NATIONAL SECURITY, PUBLIC ORDER ("ORDRE PUBLIC"), PUBLIC HEALTH OR MORALS OR THE RIGHTS AND FREEDOMS OF OTHERS, AND ARE CONSISTENT WITH THE OTHER RIGHTS RECOGNIZED IN THE PRESENT COVENANT.
 4. NO ONE SHALL BE ARBITRARILY DEPRIVED OF THE RIGHT TO ENTER HIS OWN COUNTRY. END QUOTE.
- CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 017200

4. TROUBLESOME QUALIFIERS AND EXCEPTIONS IN COVENANT ARE APPARENT.

5. IN VIEW OF THE PROBLEMS RAISED BY ANY REFERENCE TO THE DECLARATION (FOR HUNGARIANS) OR TO COVENANT (FOR US), WE ATTEMPTED TO REVISE GOH DECEMBER 16 COUNTERPROPOSAL SUFFICIENTLY TO EXPLICITLY DEAL WITH THE OVERALL ISSUE OF EMIGRATION, AS OPPOSED TO MERE REUNIFICATION OF DIVIDED FAMILIES. (THIS SAME PURPOSE WAS ACHIEVED, WE BELIEVED, BY OUR EARLIER PROPOSAL TO CITE UNIVERSAL DECLARATION, WITH ITS COMPREHENSIVE AND UNQUALIFIED REFERENCE TO THE RIGHT TO LEAVE ONE'S OWN COUNTRY. PRESUMABLY THIS CONTRIBUTES TO GOH UNWILLINGNESS TO CITE IT DIRECTLY.) IN COMING UP WITH OUR LATEST LANGUAGE, WE HAVE BEEN INFLUENCED BY OUR ASSUMPTION THAT GOH WILL WANT TO MAKE THE EXCHANGE OF LETTERS PUBLIC, AND WILL WISH TO TREAT THE LETTERS AS THE TOTALITY OF ASSURANCES GIVEN THE U.S. HOWEVER, IF WE WERE ALSO ABLE -- AS THE NEED AROSE -- TO INFORM CONGRESSTHAT THE PUBLIC WRITTEN ASSURANCES WERE BACKED UP BY FURTHER CONFIDENTIAL ASSURANCES FROM THE GOH, WE COULD BE MORE FLEXIBLE ON THE LANGUAGE OF THE PUBLIC

ASSURANCES. HOWEVER, WE HAVE ASSUMED THAT IT WOULD BE
JUST THIS SORT OF STATEMENT REGARDING CONFIDENTIAL
ASSURANCES WHICH THE GOH WOULD NOT RPT NOT WANT TO MAKE
FOR FEAR OF ANTAGONIZING THE SOVIETS. THUS, THE NEED FOR

A FAIR DEGREE OF PRECISION IN THE LANGUAGE FOR THE EXCHANGE
OF LETTERS.

6. DEPARTMENT WOULD GREATLY APPRECIATE EMBASSY'S COMMENTS
AND ANY SUGGESTIONS IT MAY HAVE FOR ALTERNATE FORMULAE. CHRISTOPHER

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: Z
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MFN, NEGOTIATIONS
Control Number: n/a
Copy: SINGLE
Draft Date: 21 jan 1978
Decaption Date: 20 Mar 2014
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE017200
Document Source: CORE
Document Unique ID: 00
Drafter: CWSCHMIDT
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D780032-0131
Format: TEL
From: STATE
Handling Restrictions:
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780136/aaaabeqi.tel
Line Count: 125
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: db0a25e1-c288-dd11-92da-001cc4696bcc
Office: ORIGIN SS
Original Classification: CONFIDENTIAL
Original Handling Restrictions: EXDIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: EXDIS
Reference: 78 BUDAPEST 326
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 27 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3734420
Secure: OPEN
Status: NATIVE
Subject: HUNGARIAN MFN ASSURANCES
TAGS: EEWT, EGEN, ETRD, HU, US
To: BUDAPEST
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/db0a25e1-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014